

## Message Text

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13

ACTION AF-18

INFO OCT-01 ISO-00 LAB-06 SIL-01 PER-05 L-03 CPR-02 DRC-01

RSC-01 /038 W

----- 052403

R 070635Z NOV 73

FM AMEMBASSY LUSAKA

TO SECSTATE WASHDC 9514

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E.O. 11652: N/A

TAGS: ELAB

SUBJ: RIGHT TO WORK OF SPOUSES OF FOREIGN DIPLOMATS

REF: STATE 209486

1. UNFORTUNATELY UNABLE LOCATE COPY OF COMMUNICATION REFERRING  
SUBJECT TO DEPT.

2. FOLLOWING IS TEXT OF MOFA NOTE OF MAY 2, 1972, INFORMING  
DIPLOMATIC MISSIONS FAMILY MEMBERS MAY NOT SEEK EMPLOYMENT IN  
ZAMBIA:

3. QUOTE: THE MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF  
ZAMBIA PRESENTS ITS COMPLIMENTS TO ALL DIPLOMATIC, CONSULAR  
AND TRADE MISSIONS AND INTERNATIONAL ORGANIZATIONS ACCREDITED  
TO THE REPUBLIC OF ZAMBIA AND HAS THE HONOUR TO ADDRESS THEM ON  
THE SUBJECT RELATING TO THE EMPLOYMENT OF THE FAMILIES OF  
DIPLOMATIC CORPS, ADMINISTRATIVE AND TECHNICAL STAFF AND THEIR  
DEPENDENTS.

4. THE MINISTRY WISHES TO ADVISE THAT IT IS NOT THE POLICY  
OF THE ZAMBIAN GOVERNMENT TO ALLOW FAMILIES OF THE DIPLOMATIC,  
CONSULAR AND TRADE MISSIONS AND INTERNATIONAL ORGANISATIONS TO  
SEEK EMPLOYMENT IN ZAMBIA. THIS RULING IS IN ACCORDANCE WITH  
ARTICLES 31 (1) AND 37 (1) AND (2) OF THE VIENNA CONVENTION  
ON DIPLOMATIC RELATIONS. END QUOTE.

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5. THOUGH NOT EXPLICITELY STATED, MOTIVATION FOR PROHIBITION UNDOUBTEDLY THE POLICY OF JOB ZAMBIANIZATION. WE ASSUME EMPLOYMENT WITHIN DIPLOMATIC MISSIONS NOT INCLUDED. PROHIBITION APPEARS OTHERWISE ALL-INCLUSIVE AND EXTENDS TO POSITIONS FOR WHICH ZAMBIANS STILL DO NOT HAVE SUFFICIENT QUALIFIED PERSONNEL. EXAMPLE IS SECONDARY AND UNIVERSITY TEACHING POSITIONS FOR WHICH WE AND OTHER DIPLOMATIC MISSIONS SOMETIMES HAVE QUALIFIED AND INTERESTED WIVES.

6. WHILE MOFA NOTE SPECIFICALLY INCLUDES INTERNATIONAL ORGANIZATIONS, FAMILY MEMBERS OF UN AGENCIES ARE IN PRACTICE PERMITTED SEEK EMPLOYMENT IN ZAMBIA. KNOW OF NO OTHER EXEMPTIONS.

7. EMBASSY WOULD APPRECIATE OPINION AS TO LEGAL VALIDITY OF PROHIBITION BASED ON VIENNA CONVENTION ARTICLES CITED. NELSON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LABOR LAW, FAIR EMPLOYMENT PRACTICES, OVEREMPLOYMENT, DEPENDENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 07 NOV 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973LUSAKA02017  
**Document Source:** CORE  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
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**Line Count:** 76  
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**Office:** ACTION AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 209486  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 14 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <14-Jan-2002 by boyleja>; APPROVED <04-Feb-2002 by garlanwa>  
**Review Markings:**

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30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** RIGHT TO WORK OF SPOUSES OF FOREIGN DIPLOMATS  
**TAGS:** ELAB, PFOR, ZA  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005